

be renewed for additional one-year periods upon written request to each concerned port director. If a blanket certification is used it shall be substantially in the following form.

BLANKET CERTIFICATION FOR CIVIL  
AIRCRAFT PARTS

I, \_\_\_\_\_,  
Importer's name, address, IRS number  
certify that the use by me or my authorized  
agent on an entry summary, or other entry  
documentation, of a HTSUS subheading  
number for civil aircraft parts, the sub-  
heading number description of which re-  
quires certification for use in civil aircraft,  
means that the articles identified on the  
entry summary or entry documentation are  
imported for use in civil aircraft within the  
meaning of Chapter 88, HTSUS, and section  
10.183, Customs Regulations (19 CFR 10.183),  
that the articles will be so used and that the  
articles have been approved for such use by  
the Administrator of the Federal Aviation  
Administration (FAA) or by the airworthi-  
ness authority in the country of exportation,  
if such approval is recognized by the FAA as  
an acceptable substitute for FAA certifi-  
cation, or that an application for approval  
for such use has been submitted to, and ac-  
cepted by, the Administrator of the FAA.

I agree (1) that documentation will be  
maintained to support the above certifi-  
cation, and (2) to inform the port director of  
any change which would affect the validity  
of this certification.

I understand that this certification will be  
valid for a period of one year from the date  
of approval by the port director and will  
cover entries made only at the port where  
filed.

Signature \_\_\_\_\_  
Title \_\_\_\_\_  
Port Director \_\_\_\_\_  
Approval date \_\_\_\_\_

(e) *Verification.* The port director  
shall monitor and periodically audit  
selected entries made under this sec-  
tion.

[T.D. 84-109, 49 FR 19450, May 8, 1984, as  
amended by T.D. 85-123, 50 FR 29953, July 23,  
1985; T.D. 89-1, 53 FR 51252, Dec. 21, 1988]

CARIBBEAN BASIN INITIATIVE

AUTHORITY: Sections 10.191 through 10.198  
issued under R.S. 251, as amended, secs. 623,  
624, 46 Stat. 759, 211 *et seq.*, Gen. Hdnt. 11, sec.  
101, 76 Stat. 72 *et seq.*, sec. 503(b), 88 Stat.  
2069, 97 Stat. 384 *et seq.* (19 U.S.C. 66, 1202,  
1623, 1624, 2463(b), 2701 *et seq.*)

SOURCE: Sections 10.191 through 10.197  
issued by T.D. 84-237, 49 FR 47993, Dec. 7, 1984,  
unless otherwise noted.

**§ 10.191 General.**

(a) *Statutory authority.* Subtitle A,  
Title II, Pub. L. 98-67, entitled the Car-  
ibbean Basin Economic Recovery Act  
(19 U.S.C. 2701-2706) and referred to as  
the Caribbean Basin Initiative (CBI),  
authorizes the President to proclaim  
duty-free treatment for all eligible ar-  
ticles from any beneficiary country.

(b) *Definitions*—(1) *Beneficiary coun-  
try.* For purposes of § 10.191 through  
§ 10.198 and except as otherwise pro-  
vided in § 10.195(b), the term “bene-  
ficiary country” means any country or  
territory or successor political entity  
with respect to which there is in effect  
a proclamation by the President desig-  
nating such country, territory or suc-  
cessor political entity as a beneficiary  
country in accordance with section  
212(a)(1)(A) of the Caribbean Basin Eco-  
nomic Recovery Act (19 U.S.C.  
2702(a)(1)(A)).

(2) *Eligible articles.* Except as provided  
herein, for purposes of § 10.191(a), the  
term “eligible articles” means any  
merchandise which is imported di-  
rectly from a beneficiary country as  
provided in § 10.193 and which meets the  
country of origin criteria set forth in  
§ 10.195. The following merchandise  
shall not be considered eligible articles  
entitled to duty-free treatment under  
the CBI.

(i) Textile and apparel articles which  
are subject to textile agreements.

(ii) Footwear, handbags, luggage, flat  
goods, work gloves, and leather wear-  
ing apparel not designated on August 5,  
1983, as eligible articles for the purpose  
of the Generalized System of Pref-  
erences under Title V, Trade Act of  
1974, as amended (19 U.S.C. 2461 through  
2465).

(iii) Tuna, prepared or preserved in  
any manner, in airtight containers.

(iv) Petroleum, or any product de-  
rived from petroleum, provided for in  
Chapter 27, Harmonized Tariff Schedule  
of the United States (HTSUS).

(v) Watches and watch parts (includ-  
ing cases, bracelets and straps), of  
whatever type including, but not lim-  
ited to, mechanical, quartz digital or  
quartz analog, if such watches or watch  
parts contain any material which is  
the product of any country with re-  
spect to which HTSUS column 2 rates  
of duty apply.

(vi) Sugars, sirups, and molasses, provided for in subheadings 1701.11.00 and 1701.12.00, HTSUS, to the extent that importation and duty-free treatment of such articles are limited by Additional U.S. Note 4, Chapter 17, HTSUS.

(vii) Articles subject to the provisions of the subheadings of Subchapter III, from the beginning through 9903.85.21, Chapter 99, HTSUS, to the extent that such provisions have not been modified or terminated by the President pursuant to section 213(e)(5) of the Caribbean Basin Economic Recovery Act (19 U.S.C. 2703(e)(5)).

(viii) Merchandise for which duty-free treatment under the CBI is suspended or withdrawn by the President pursuant to sections 213 (c)(2), (e)(1), or (f)(3) of the Caribbean Basin Economic Recovery Act (19 U.S.C. 2703 (c)(2), (e)(1), or (f)(3)).

(3) *Wholly the growth, product, or manufacture of a beneficiary country.* For purposes of §10.191 through §10.198, the expression “wholly the growth, product, or manufacture of a beneficiary country” refers both to any article which has been entirely grown, produced, or manufactured in a beneficiary country or two or more beneficiary countries and to all materials incorporated in an article which have been entirely grown, produced, or manufactured in any beneficiary country or two or more beneficiary countries, as distinguished from articles or materials imported into a beneficiary country from a non-beneficiary country whether or not such articles or materials were substantially transformed into new or different articles of commerce after their importation into the beneficiary country.

(4) *Entered.* For purposes of §10.191 through §10.198, the term “entered” means entered, or withdrawn from warehouse for consumption, in the customs territory of the U.S.

[T.D. 84-237, 49 FR 47993, Dec. 7, 1984, as amended by T.D. 89-1, 53 FR 51252, Dec. 21, 1988]

**§10.192 Claim for exemption from duty under the CBI.**

A claim for an exemption from duty on the ground that the CBI applies shall be allowed by the port director only if he is satisfied that the require-

ments set forth in this section and §10.193 through §10.198 have been met. Duty-free treatment may be claimed at the time of filing the entry summary by placing the symbol “E” as a prefix to the HTSUS subheading number for each article for which such treatment is claimed on that document.

[T.D. 84-237, 49 FR 47993, Dec. 7, 1984, as amended by T.D. 89-1, 53 FR 51252, Dec. 21, 1988; T.D. 94-47, 59 FR 25570, May 17, 1994]

**§ 10.193 Imported directly.**

To qualify for treatment under the CBI, an article shall be imported directly from a beneficiary country into the customs territory of the U.S. For purposes of §10.191 through §10.198 the words “imported directly” mean:

(a) Direct shipment from any beneficiary country to the U.S. without passing through the territory of any non-beneficiary country; or

(b) If the shipment is from any beneficiary country to the U.S. through the territory of any non-beneficiary country, the articles in the shipment do not enter into the commerce of any non-beneficiary country while en route to the U.S. and the invoices, bills of lading, and other shipping documents show the U.S. as the final destination; or

(c) If the shipment is from any beneficiary country to the U.S. through the territory of any non-beneficiary country, and the invoices and other documents do not show the U.S. as the final destination, the articles in the shipment upon arrival in the U.S. are imported directly only if they:

(1) Remained under the control of the customs authority of the intermediate country;

(2) Did not enter into the commerce of the intermediate country except for the purpose of sale other than at retail, and the port director is satisfied that the importation results from the original commercial transaction between the importer and the producer or the latter’s sales agent; and

(3) Were not subjected to operations other than loading and unloading, and other activities necessary to preserve the articles in good condition.